

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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DANIEL HIMMEL,

Plaintiff,

v.

Case No. 10-C-1104

BUCYRUS INTERNATIONAL, INC.  
TIMOTHY SULLIVAN,  
CRAIG R. MACKUS,  
THEODORE C. ROGERS,  
ROBERT L. PURDUM,  
GENE E. LITTLE,  
ROBERT C. SCHARP,  
PAUL W. JONES,  
ROBERT K. ORTBERG,  
DEEPAK T. KAPUR,  
MICHELLE L. COLLINS,  
CATERPILLAR INC.,  
BADGER MERGER SUB INC.,

Defendants.

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CITY OF STERLING HEIGHTS  
POLICE & FIRE RETIREMENT SYSTEM,

Plaintiff,

v.

Case No. 10-C-1106

BUCYRUS INTERNATIONAL, INC.  
TIMOTHY W. SULLIVAN,  
THEODORE C. ROGERS,  
GENE E. LITTLE,  
ROBERT L. PURDUM,  
ROBERT C. SCHARP,  
PAUL W. JONES,  
ROBERT K. ORTBERG,  
MICHELLE L. COLLINS,  
DEEPAK T. KAPUR,  
CATERPILLAR INC.,  
BADGER MERGER SUB, INC.,

Defendants.

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EDMUND J. IMPENS,

Plaintiff,

v.

Case No. 10-C-1179

TIMOTHY SULLIVAN,  
THEODORE ROGERS,  
ROBERT L. PURDUM,  
GENE E. LITTLE,  
ROBERT C. SHARP,  
PAUL W. JONES,  
ROBERT K. ORTBERG,  
MICHELLE L. COLLINS,  
DEEPAK T. KAPUR,  
BUCYRUS INTERNATIONAL INC.,  
BADGER MERGER SUB, INC.,

Defendants.

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ORDER GRANTING MOTION TO DISMISS THE SECOND AMENDED COMPLAINT  
(DOC. 66)

For reasons set forth in a written decision that shall issue forthwith,

IT IS ORDERED that defendants' motion to dismiss the Second Amended  
Complaint (Doc. 66) is granted.

Dated at Milwaukee, Wisconsin, this 28th day of March, 2014.

BY THE COURT

/s/ C.N. Clevert, Jr.  
C.N. CLEVERT, JR.  
U.S. DISTRICT JUDGE